

**BOROUGH OF PARKESBURG
CHESTER COUNTY, PENNSYLVANIA
ORDINANCE NO. 2025-569**

AN ORDINANCE OF THE BOROUGH OF PARKESBURG, CHESTER COUNTY, PENNSYLVANIA, REPLACING ORDINANCE NO. 492 AND ESTABLISHING REGULATIONS FOR OBTAINING A RENTAL OPERATING LICENSE, AND OCCUPANCY PERMITS AND SETTING PENALTIES FOR FAILURE TO COMPLY WITH THIS CHAPTER.

WHEREAS, the Borough Council of the Borough of Parkesburg, Chester County, Pennsylvania, has determined that, for the benefit of the public health, safety, and welfare, it is necessary to establish a rental operating license and tenant registration ordinance (hereinafter the “Rental Operating License Ordinance”), and

WHEREAS, the Borough Council desires to enact such legislation regulating rental properties for let within Parkesburg Borough, Chester County, Pennsylvania,

NOW THEREFORE, be it ENACTED and ORDANIED by the Borough Council of the Borough of Parkesburg, Chester County, Pennsylvania and it is hereby ENACTED and ORDAINED by the authority of the same as follows:

1. TITLE

This Ordinance shall be known as the “Rental Operating License Ordinance.”

2. PURPOSE AND INTENT

This Ordinance is adopted to protect the health, safety, and welfare of Borough residents and to prevent the loss of life, limb, and property from failure of rental dwelling units to comply with applicable building and safety codes **and requires Annual Licensing and Bi-Annual inspections as well as inspections on the change of tenant occupancy.**

3. RULES OF CONSTRUCTION

In the construction of this Ordinance, the rules and definitions contained in this section shall be observed applied, except when the context clearly indicates otherwise.

- A. Words used in the singular shall include the plural, and the plural the singular.
- B. Words used in the present tense shall include the future tense.
- C. Words used in the masculine gender shall include the feminine and neuter.
- D. The word “person” includes corporations, associations and partnerships, and other similar entities.
- E. The word “shall” is always mandatory and not discretionary.
- F. The word “may” is permissive.
- G. This Ordinance shall be liberally construed to accomplish its purpose to protect the public’s health, safety, and welfare.

4. DEFINITIONS

For the purpose of this Ordinance, the following terms, phrases, words, and their derivations shall have the meanings given, herein:

AGENT FOR AN OWNER – Any person who provides written proof that he is authorized to act on behalf of a property owner,

BOROUGH – The Borough of Parkesburg, Chester County, Pennsylvania

BOROUGH SECRETARY – The Secretary of the Borough of Parkesburg

BUILDING INSPECTOR – The Building Inspector of the Borough of Parkesburg, for purposes of this article, this term shall include the Code Enforcement Officer, Fire Marshal, and any assistant or designee thereof.

DWELLING, MULTIFAMILY, INCLUDING GARDEN APARTMENTS – A building or portion thereof containing or designed to contain two or more separate dwelling units with, or without common access facilities.

DWELLING UNIT – A building or structure, or any portion of either of them which is wholly or partially used or intended to be used as living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, or sanitation. All rooms comprising a dwelling unit shall have access through an interior door to other parts of the dwelling unit.

FAMILY – One or more persons related by blood, marriage, adoption, or other decree of legal custody living together as a single housekeeping unit and using cooking facilities and certain rooms in common.

LANDLORD – A person who receives rent and leases a dwelling unit or a rooming unit in a boarding, lodging, or tourist home to a tenant for, a period of time.

MANAGER – A person who has charge of a dwelling unit or a rooming unit in a boarding, lodging, or tourist home.

OWNER – Every person who has a property right in a multifamily dwelling, and every person who owns, has keeps or maintains a multifamily dwelling or rooming house, including a boarding, lodging, or tourist home.

PERSON – An individual, proprietorship, partnership, corporation, association, or trust or other legal entity.

RENT OR LEASE (or variations thereof) – The act of permitting the use or occupancy of any dwelling unit by a person or persons other than the owner, whether or not the same is done in consideration of any monetary or other compensation. Use or occupancy by the family of the owner, together with the owner, shall not be deemed to constitute a rental or lease of a dwelling unit.

ROOMING HOUSE, INCLUDING A BOARDING, LODGING OR TOURIST HOME AND A SINGLE-FAMILY HOUSE – A building other than a multifamily dwelling, containing not more than one dwelling unit occupied by a family and providing, for compensation or other consideration, rooming units for the lodging in addition to the owner.

ROOMING UNIT – A room or rooms constituting a separate, independent housekeeping unit that is physically separated from other room, dwelling unit

or rooming unit in the same structure. The rooming unit shall contain living and sleeping facilities, but no cooking or eating facilities, and shall be occupied by no more than one family.

TENANT – A person who rents or leases a dwelling unit or a person who occupies or inhabits a dwelling unit located in the Borough, for living, sleeping, cooking, eating, or sanitation purposes.

TOWNHOUSE OR ROW HOUSE – Dwelling units attached to each other by party or common walls, with each unit having individual access and rear common or private garden orientation.

5. INFORMATION TO BE PROVIDED BY OWNERS OR LANDLORDS

A. Every owner, landlord, manager, or agent for an owner who rents or leases or offers for occupancy any property or portion thereof in the Borough of Parkesburg to any tenant or occupant for a period of time in excess of thirty (30) days shall supply the following information to the Borough Secretary.

1. The dwelling unit or room unit number or street address
2. The name or names and ages of all tenants and occupants to occupy such property.
3. The mailing address of the dwelling unit or rooming unit.
4. The period of time for which the rental is traded, and the actual move-in date and/or move-out date.

B. The above information shall be provided to the Borough Secretary within ten (10) days of the renting, leasing, subleasing, or occupancy of any property in the Borough of Parkesburg for a period of time in excess of thirty (30) days.

6. RENTAL OPERATING LICENSE REQUIRED

No person shall rent or lease a Rooming House, a Single-Family House, a Multiple

Dwelling Unit, and Apartment Building or a Townhouse or other Dwelling Unit in the Borough of Parkesburg to any Tenant unless he/she holds a current, unrevoked Rental Operating License issued by the Borough Secretary in his/her name, for the specified Dwelling Unit or Rooming Unit.

7. APPLICATION FOR LICENSE; AGREEMENT TO COMPLY

Every Owner, Landlord, Manager, or Agent for an Owner who rents or leases any Dwelling Unit in any Multifamily Dwelling or any Rooming Unit in any Rooming house, including boarding, lodging, or tourist home, or in any single-family home in the Borough of Parkesburg to any Tenant for a period of time in excess of thirty (30) days shall apply for a Rental Operating License and shall agree to comply with all provisions of the applicable building and construction codes adopted by the Borough Council and enforced by the Building Inspector. The application form shall be accompanied by a check or money order payable to the Borough of Parkesburg in the amount of the Rental Operating License.

8. INSPECTIONS, COMPLIANCE WITH OTHER CODES, NOTICE OF VIOLATION

Following the initial registration by Month Date Year, the Code Enforcement Officer will schedule an inspection during the following calendar year for all units not inspected in 2025. For any unit inspected in 2025, the Code Enforcement Officer shall schedule an inspection on or before the two-year period lapses from the inspection in 2025. For all new registrations, the Code Enforcement Officer will schedule an inspection within fifteen (15) days of the receipt of a valid application for a Rental Operating License to be reinspected within two (2) years or change of tenant occupancy. Any Owner, Landlord, Manager, or Agent for an Owner who rents

or leases any Dwelling Unit in any Multi-family Dwelling or any Rooming Unit in any rooming house, who fails to register their unit by month, date, year and every year thereafter by January 31 of each succeeding year. Failure to register shall constitute a violation of this ordinance.

8a. CHANGE OF TENANTS

In addition, any change in tenancy or occupancy shall require a new inspection within ten (10) days of occupancy. Owner shall notify the Borough immediately of any vacancy of any dwelling unit and execute a New Operating License Application at the time that a new rent or lease agreement is executed for the property. The new Operating License Application together with a copy of the new lease shall be submitted to the Borough at no additional cost prior to occupancy by the new tenant. The Borough shall re-inspect the property with thirty (30) days of occupancy. Failure to notify the Borough of Change of Tenant shall constitute a violation of this ordinance and subject to enforcement including the revocation of the Rental Operating License.

8b. INSPECTION PROCEDURE

Upon receipt of a complete application, the Code Enforcement Officer or another designated agent of the Borough shall, within fifteen (15) business days, conduct an inspection of the property to determine compliance with minimum standards and requirements as follows:

Each dwelling unit must have a smoke detector on each floor level and in the bedroom area(s).

An existing acceptable 60 ampere service, or a minimum 100 ampere three (3) wire electric service, must be installed for the dwelling.

All kitchen countertop receptacles and bathroom receptacles must be ground fault circuit interrupter protected.

All sidewalks and curbs must be in good repair free of large cracks and crevices, missing bricks, and tripping hazards.

All properties must be supplied with numbers outside the property, in clear view of the street, designating the street number of the property.

The property and structure must be in compliance with all other aspects of the International Property Maintenance Code adopted by the Borough.

8c. UPON APPLICATION FOR A NEW RENTAL OPERATING LICENSE UNDER THIS CHAPTER,

the Dwelling Unit shall be inspected by the Building or Codes Inspector for compliance with the provisions of the Building Codes and/or its constituent codes (including but not limited to the Fire Prevention Code, the Property Maintenance Code, the Plumbing Code, and the Electrical Code) then enacted in the Borough. The Building Inspector shall note all violations and shall leave with the Owner, Landlord, Manager, or Agent, for an Owner, a copy of any notice of violation. The Building Inspector or Code Enforcement Officer shall forward any notice of violation to the Borough Secretary for the Borough's file.

**9. CORRECTION OF VIOLATIONS PRIOR TO RE-ISSUANCE OF LICENSE;
TERM OF LICENSE**

Prior to the issuance of a new Rental Operating License, all violations noted on a notice of violation shall be corrected within thirty (30) days or sooner upon direction of the Building or Code Enforcement Officer as required. Every Rental Operating License shall be issued for a period of the current calendar year, unless sooner revoked. **New Rental Operating License applications filed after the beginning of any year shall pay the license fee established by the Borough of Parkesburg Resolution prorated for the portion of the year at issue.**

10. REGULATIONS

The following regulations are hereby adopted for the issuance of Rental Operating

Licenses:

- A. **Pennsylvania statues govern.** All matters regulated by the Pennsylvania Construction Code Act or by any other laws of the Commonwealth of Pennsylvania or by regulations of departments or agencies of the Commonwealth promulgated by authority of law, as the case may be, shall control all inspections where the requirements thereof are the same as, or in excess of, the provisions of the Borough Building Code and its constituent codes. However, when the requirements of the Borough Building Code and its constituent codes exceed the requirements of the Commonwealth's Regulations, the Borough Building Code and its constituent codes shall apply.
- B. **Inspection mandatory.** Any person who applies as an Owner or as an Agent for an Owner for a Rental Operating License in the Borough shall permit the Building Inspector to inspect the Dwelling Unit or Rooming Unit for the purpose of ensuring compliance with the law.
- C. **Refusal to permit lawful inspection.** A person applying for a Rental Operating License in the Borough violates the chapter if, after application, such person refuses to permit such lawful inspection of the Dwelling Unit or Rooming Unit, unless such person withdraws such application in writing.
- D. **Expiration of Licenses.** Each Rental Operating License shall expire on Month Date Year and in each succeeding year by January 31. Failure to reapply for a new Rental Operating License by January 31 of each succeeding year shall constitute a violation of this Ordinance.
- E. **Nonresident applicants.** No Rental Operating License shall be issued or renewed for a non-resident applicant unless such applicant designates in writing to the Building Inspector the name of his Agent located in the Commonwealth of Pennsylvania, County of Chester for receipt of service of any notice of violation and for service of process.
- F. **Further regulations by Resolution of Borough Council.** The Borough Council specifically reserves the right to enact supplemental regulations for the effective operation and management of this Ordinance to address, by way of example only and not limitation, modification of any appeal process or the resetting of fines, penalties or fees by Resolution of Borough Council.

11. LICENSE FEES/INSPECTION FEES

- A. The cost of a Rental Operating License (and inspection fees) shall be set

from time to time by Resolution of Borough Council setting forth such fees.

B. If the condition of any property requires more than one inspection, the applicant will be required to reapply for a Rental Operating License, including payment of all appropriate fees.

B. All applicants shall pay the full cost of the License fee (and any inspection fees) before any Rental Operating License shall be issued.

12. VIOLATIONS AND PENALTIES; ADDITIONAL REMEDIES

Any person who violates any of the provisions of this article shall, upon conviction in a summary proceeding, be fined not more than **\$600** for the first offense and **\$1000** for the second and subsequent offenses. Nothing contained herein shall be deemed to preclude the Borough from seeking other relief or from availing itself of any remedy that maybe at law or in equity to prevent continuing violations of the provisions of this Ordinance. Each day that a violation occurs or exists under this Ordinance shall be deemed a separate offense.

13. APPEALS

A. Any person aggrieved by the action of the Building Inspector pursuant to this Ordinance shall have the right to appeal said action within ten (10) days to the Parkesburg Borough Codes Appeals Board, as constituted, named (or-renamed) and regulated by Resolution of Borough Council and which shall hear and determine said, appeal at its next regularly scheduled meeting.

B. No appeal proceedings under this section shall operate as a stay or supersede as of the enforcement of this article.

14. ADDITIONAL RELIEF; NUISANCES

No provision of this Ordinance shall prevent the Borough from instituting proceedings and seeking relief in any court of the Commonwealth if the Borough shall deem such action necessary to abate any violation of this Ordinance which constitutes a nuisance or safety/health hazard.

15. Severability

If any article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase or word in this Ordinance, is, for any reason declared to be illegal, unconstitutional or invalid, by any Court of competent jurisdiction, this decision shall not affect or impair the validity of the Ordinance as a whole, or any other article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase, word, or remaining portion of the within Ordinance. The Borough Council of the Borough of Parkesburg, Pennsylvania hereby declares that it would have adopted the within Ordinance and each article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase and word thereof, irrespective of the limitations, restrictions, sentences, clauses, phrases, or word that may be declared illegal, unconstitutional, or invalid.

16. Replacing inconsistent Ordinances Ordinance No. 492 , the Parkesburg Rental Space Ordinance is replaced and all Ordinances or parts inconsistent herewith are hereby replaced.

17. Effective date. This Ordinance shall take effect immediately.

DULY ENACTED AND ORDAINED by the Council of the Borough of Parkesburg, Chester County, Pennsylvania, this 21st day of August 2025.

PARKESBURG BOROUGH COUNCIL

By: 

Todd Brade, President

ATTEST:


Wanda Harner, Secretary

Approved:


John P. Hagan, II Mayor